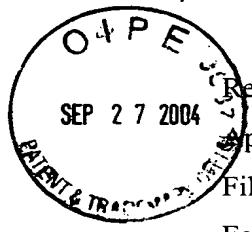


**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**



Re. Appln.: John Underbrink  
Application No.: 10/652,112  
Filing Date: August 29, 2003  
For: FOLDING SINK  
Examiner: Khoa D. Huyhn  
Art Unit: 3751  
Attorney: Gerald E. Helget  
Attorney Docket No.: 35249.26  
Additional Fees: Charge to Deposit Account No. 023732

MAIL STOP PETITION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION TO MAKE SPECIAL BECAUSE OF ACTUAL INFRINGEMENT**  
**(37 C.F.R. §1.102 AND M.P.E.P. §708.02)**

Applicant hereby petitions to make this application special because of actual infringement.

1. Accompanying material:

Accompanying this petition is:

a Statement by Attorney in Support of Petition to Make Special Because of  
Actual Infringement

Respectfully submitted,

Dated: 23 Sept 04

By   
Gerald E. Helget (Reg. No. 30,948)  
Briggs and Morgan, P.A.  
80 South Eighth Street  
2200 IDS Center  
Minneapolis, MN 55402  
Telephone: (612) 977-8480

**CERTIFICATE OF MAILING**

I hereby certify that this document and the documents identified above, are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP PETITION, Commissioner for Patents, Alexandria, VA 22313-1450, on the date indicated below.

By   
Dated 23 Sept 04

09/28/2004 YPOLITE1 00000017 10652111

01 FC:1460

130.00 0P



Re. Appl. ~~TRADEMARK~~ John Underbrink  
Application No.: 10/652,111  
Filing Date: August 29, 2003  
For: FOLDING SINK ASSEMBLY  
Examiner: Khoa D. Huyhn  
Art Unit: 3751  
Attorney: Gerald E. Helget  
Attorney Docket No.: 35249.26  
Additional Fees: Charge to Deposit Account No. 023732

MAIL STOP PETITION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT IN SUPPORT OF PETITION TO MAKE SPECIAL**  
**BECAUSE OF ACTUAL INFRINGEMENT**  
**(37 C.F.R. §1.102 AND M.P.E.P. §708.02)**

Applicant hereby petitions the Office to make the above-referenced United States Patent Application special, as follows:

1. There is an infringing device or product actually on the market. In particular, an infringing product is actually being marketed by Jobar International, Inc., 21022 Figueroa St., Carson, CA 90745 (attached).

2. A rigid comparison of the alleged infringing product with the claims of the application has been made. In my opinion, some of the claims are unquestionably infringed.

3. I have a good knowledge of the pertinent prior art. The references most closely related to the subject matter encompassed by the claims are already of record.

Dated: 23 Sept 04

  
Gerald E. Helget  
Attorney for Applicant

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEES TRANSMITTAL**  
SEP 27 2003 for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

**APPLICANT** claims small entity status. See 37 CFR 1.27

<b>TOTAL AMOUNT OF PAYMENT</b>	(\$ 130.00)
Application Number 10/652,111	
Filing Date August 29, 2003	
First Named Inventor John Underbrink	
Examiner Name Khoa D. Huynh	
Art Unit 3751	
Attorney Docket No. 35249.26	

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)																																																																																																																																																																	
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money <input type="checkbox"/> Other <input type="checkbox"/> None <input type="checkbox"/> Deposit Account: Deposit Account Number 02-3732 Deposit Account Name Briggs & Morgan, P.A.		<b>3. ADDITIONAL FEES</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Large Entity</th> <th style="width: 15%;">Small Entity</th> <th colspan="2">Fee Description</th> <th style="width: 15%;">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> <th></th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for reexamination</td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td></tr> <tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td></tr> <tr><td>1252</td><td>420</td><td>2252</td><td>210</td><td>Extension for reply within second month</td></tr> <tr><td>1253</td><td>950</td><td>2253</td><td>475</td><td>Extension for reply within third month</td></tr> <tr><td>1254</td><td>1,480</td><td>2254</td><td>740</td><td>Extension for reply within fourth month</td></tr> <tr><td>1255</td><td>2,010</td><td>2255</td><td>1,005</td><td>Extension for reply within fifth month</td></tr> <tr><td>1401</td><td>330</td><td>2401</td><td>165</td><td>Notice of Appeal</td></tr> <tr><td>1402</td><td>330</td><td>2402</td><td>165</td><td>Filing a brief in support of an appeal</td></tr> <tr><td>1403</td><td>290</td><td>2403</td><td>145</td><td>Request for oral hearing</td></tr> <tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - unavoidable</td></tr> <tr><td>1453</td><td>1,330</td><td>2453</td><td>665</td><td>Petition to revive - unintentional</td></tr> <tr><td>1501</td><td>1,330</td><td>2501</td><td>665</td><td>Utility issue fee (or reissue)</td></tr> <tr><td>1502</td><td>480</td><td>2502</td><td>240</td><td>Design issue fee</td></tr> <tr><td>1503</td><td>640</td><td>2503</td><td>320</td><td>Plant issue fee</td></tr> <tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Processing fee under 37 CFR 1.17 (q)</td></tr> <tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of Information Disclosure Stmt</td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td></tr> <tr><td>1809</td><td>770</td><td>2809</td><td>385</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td></tr> <tr><td>1810</td><td>770</td><td>2810</td><td>385</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td></tr> <tr><td>1801</td><td>770</td><td>2801</td><td>385</td><td>Request for Continued Examination (RCE)</td></tr> <tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td></tr> <tr> <td colspan="4" style="text-align: center;">Other fee (specify) _____</td> <td></td> </tr> <tr> <td colspan="4" style="text-align: center;">*Reduced by Basic Filing Fee Paid</td> <td style="text-align: right;">SUBTOTAL (3) (\$ 130.00)</td> </tr> </tbody> </table>		Large Entity	Small Entity	Fee Description		Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)		1051	130	2051	65	Surcharge - late filing fee or oath	1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	1053	130	1053	130	Non-English specification	1812	2,520	1812	2,520	For filing a request for reexamination	1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	1251	110	2251	55	Extension for reply within first month	1252	420	2252	210	Extension for reply within second month	1253	950	2253	475	Extension for reply within third month	1254	1,480	2254	740	Extension for reply within fourth month	1255	2,010	2255	1,005	Extension for reply within fifth month	1401	330	2401	165	Notice of Appeal	1402	330	2402	165	Filing a brief in support of an appeal	1403	290	2403	145	Request for oral hearing	1451	1,510	1451	1,510	Petition to institute a public use proceeding	1452	110	2452	55	Petition to revive - unavoidable	1453	1,330	2453	665	Petition to revive - unintentional	1501	1,330	2501	665	Utility issue fee (or reissue)	1502	480	2502	240	Design issue fee	1503	640	2503	320	Plant issue fee	1460	130	1460	130	Petitions to the Commissioner	1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)	1806	180	1806	180	Submission of Information Disclosure Stmt	8021	40	8021	40	Recording each patent assignment per property (times number of properties)	1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	1801	770	2801	385	Request for Continued Examination (RCE)	1802	900	1802	900	Request for expedited examination of a design application	Other fee (specify) _____					*Reduced by Basic Filing Fee Paid				SUBTOTAL (3) (\$ 130.00)
Large Entity	Small Entity	Fee Description		Fee Paid																																																																																																																																																															
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																																
1051	130	2051	65	Surcharge - late filing fee or oath																																																																																																																																																															
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																															
1053	130	1053	130	Non-English specification																																																																																																																																																															
1812	2,520	1812	2,520	For filing a request for reexamination																																																																																																																																																															
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																															
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																															
1251	110	2251	55	Extension for reply within first month																																																																																																																																																															
1252	420	2252	210	Extension for reply within second month																																																																																																																																																															
1253	950	2253	475	Extension for reply within third month																																																																																																																																																															
1254	1,480	2254	740	Extension for reply within fourth month																																																																																																																																																															
1255	2,010	2255	1,005	Extension for reply within fifth month																																																																																																																																																															
1401	330	2401	165	Notice of Appeal																																																																																																																																																															
1402	330	2402	165	Filing a brief in support of an appeal																																																																																																																																																															
1403	290	2403	145	Request for oral hearing																																																																																																																																																															
1451	1,510	1451	1,510	Petition to institute a public use proceeding																																																																																																																																																															
1452	110	2452	55	Petition to revive - unavoidable																																																																																																																																																															
1453	1,330	2453	665	Petition to revive - unintentional																																																																																																																																																															
1501	1,330	2501	665	Utility issue fee (or reissue)																																																																																																																																																															
1502	480	2502	240	Design issue fee																																																																																																																																																															
1503	640	2503	320	Plant issue fee																																																																																																																																																															
1460	130	1460	130	Petitions to the Commissioner																																																																																																																																																															
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)																																																																																																																																																															
1806	180	1806	180	Submission of Information Disclosure Stmt																																																																																																																																																															
8021	40	8021	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																															
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))																																																																																																																																																															
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))																																																																																																																																																															
1801	770	2801	385	Request for Continued Examination (RCE)																																																																																																																																																															
1802	900	1802	900	Request for expedited examination of a design application																																																																																																																																																															
Other fee (specify) _____																																																																																																																																																																			
*Reduced by Basic Filing Fee Paid				SUBTOTAL (3) (\$ 130.00)																																																																																																																																																															
Total Claims -20 ** = 0 X 0 = 0 Independent Claims -3 ** = 0 X 0 = 0 Multiple Dependent X 0 = 0																																																																																																																																																																			
<b>1. BASIC FILING FEE</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Large Entity</th> <th style="width: 15%;">Small Entity</th> <th colspan="2">Fee Description</th> <th style="width: 15%;">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> <th></th> </tr> </thead> <tbody> <tr><td>1001</td><td>770</td><td>2001</td><td>385</td><td>Utility filing fee</td></tr> <tr><td>1002</td><td>340</td><td>2002</td><td>170</td><td>Design filing fee</td></tr> <tr><td>1003</td><td>530</td><td>2003</td><td>265</td><td>Plant filing fee</td></tr> <tr><td>1004</td><td>770</td><td>2004</td><td>385</td><td>Reissue filing fee</td></tr> <tr><td>1005</td><td>160</td><td>2005</td><td>80</td><td>Provisional filing fee</td></tr> </tbody> </table>		Large Entity	Small Entity	Fee Description		Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)		1001	770	2001	385	Utility filing fee	1002	340	2002	170	Design filing fee	1003	530	2003	265	Plant filing fee	1004	770	2004	385	Reissue filing fee	1005	160	2005	80	Provisional filing fee	SUBTOTAL (1) (\$ 0)																																																																																																																														
Large Entity	Small Entity	Fee Description		Fee Paid																																																																																																																																																															
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																																
1001	770	2001	385	Utility filing fee																																																																																																																																																															
1002	340	2002	170	Design filing fee																																																																																																																																																															
1003	530	2003	265	Plant filing fee																																																																																																																																																															
1004	770	2004	385	Reissue filing fee																																																																																																																																																															
1005	160	2005	80	Provisional filing fee																																																																																																																																																															
<b>2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Total Claims</th> <th style="width: 15%;">Extra Claims</th> <th style="width: 15%;">Fee from below</th> <th style="width: 15%;">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr><td>1202</td><td>18</td><td>2202</td><td>9</td></tr> <tr><td>1201</td><td>86</td><td>2201</td><td>43</td></tr> <tr><td>1203</td><td>290</td><td>2203</td><td>145</td></tr> <tr><td>1204</td><td>86</td><td>2204</td><td>43</td></tr> <tr><td>1205</td><td>18</td><td>2205</td><td>9</td></tr> </tbody> </table>		Total Claims	Extra Claims	Fee from below	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1202	18	2202	9	1201	86	2201	43	1203	290	2203	145	1204	86	2204	43	1205	18	2205	9	SUBTOTAL (2) (\$ 0)																																																																																																																																					
Total Claims	Extra Claims	Fee from below	Fee Paid																																																																																																																																																																
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																																
1202	18	2202	9																																																																																																																																																																
1201	86	2201	43																																																																																																																																																																
1203	290	2203	145																																																																																																																																																																
1204	86	2204	43																																																																																																																																																																
1205	18	2205	9																																																																																																																																																																

\*\*or number previously paid, if greater; For Reissues, see above

Complete (if applicable)					
SUBMITTED BY					
Name (Print/Type)	Gerald E. Helget	Registration No. (Attorney/Agent)	30,948	Telephone	612.977.8480
Signature					
Date	23 Sep 04				

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.